



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

1743
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B1
10-107

Applicants: M.C. Bach, *et al.*

Serial NO.: 10/092,837

Filed: March 7, 2002

Title: STRUCTURE AND METHOD FOR
PERFORMING A
DETERMINATION OF AN ITEM
OF INTEREST IN A SAMPLE

Case No.: 6416USC1

Group Art No.: 1743

Examiner: (not yet assigned)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450, on:

Date of Deposit: August 27, 2003

Matthew H. Mader

Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

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GROUP 1700

Dear Sir:

Enclosed herewith for the Patent Application referenced above are:

1. Information Disclosure Statement
2. Form PTO 1449 (2 pages, in duplicate)
3. References Cited on Form PTO-1449 (5 References)
4. Return Receipt Postcard

The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 CFR 1.16, as well as any patent application processing fees under 37 CFR 1.17 associated with this communication for which full payment has not been tendered, to Deposit Account No. 01-0025. A duplicate copy of this sheet is enclosed



23492

ABBOTT LABORATORIES
Telephone: (847) 937-7022
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Respectfully submitted,
M.C. Bach, *et al.*

David J. Schodin
Registration No. 41,294
Attorney for Applicants



PATENT

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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed, to the knowledge of the undersigned, before the mailing date of a first Office Action on the merits. Applicants respectfully petition and request that the Examiner consider the listed documents and evidence such consideration by making appropriate notations on the attached form. Copies of the listed documents are attached. Also enclosed is the English equivalent for both EP publications, which are in German.

Documents listed in this Information Disclosure Statement, were cited in a communication from the European Patent Office in a counterpart international PCT application. This Information Disclosure Statement is being filed within three months of the mailing date of that communication.

This submission does not represent that a search has been made or that no better art exists, and does not constitute an admission that each or all of the listed documents are material or constitute "prior art". If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

The Commissioner is authorized to charge our Deposit Account any additional fees (or credit any over payments) that may be required under 37 C.F.R. §§ 1.16 and 1.17 in association with this communication for which full payment has not been tendered.



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Respectfully submitted,
M.C. Bach, *et al.*

A handwritten signature in black ink, appearing to read "David J. Schodin", written over a horizontal line.

David J. Schodin
Registration No. 41,294
Attorney for Applicants



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DATE: August 27, 2003 SHEET 1 of 1

Form PTO - 1449 (Modified)

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) (37 CFR 1.98 (b))	ATTY. DOCKET NO. 6416USC1	SERIAL NO. 10/092,837
	APPLICANT(S) M.C. Bach	
	FILING DATE March 7, 2002	GROUP 1743

U.S.PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	INVENTOR	CLASS	SUB CLASS	FILING DATE
	AA	US 4,895,650	01/23/1990	Wang			02/25/1988
	AB	US 5,458,785	01/01/1999	Howe, et al.			09/24/1993
	AC	US 5,779,907	07/14/1998	Yu			12/06/1996

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

		DOCUMENT NUMBER	PUBLIC- ATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB CLASS	TRANS- LATION
							YES NO
	AD	01/05510 A1	01/25/2001	WO			

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

	AE	PCT/US03/12930 International Search Report

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.